



2009 Legislative Update

State Representative

Jennifer Carroll

Proudly Serving the People of House District 13



Dear Friends and Neighbors,

I would like to thank you for your patience as our state experienced the worst budget crisis in Florida's history. While it took the Legislature a few extra days to complete Session, we felt that it was important to get the job done right rather than to simply get it done quickly. We responsibly balanced the budget and put measures in place to help Florida rebound economically. The Legislature prioritized spending and focused on what was most important, Florida's families. The bottom line, the Legislature had to stop spending more than we can afford and make the tough decisions in the long-term best interests of the state's financial future.

Although session has ended, I will continue my e-newsletter program to provide you with updates on activities of the Florida House. I hope you have found my emails helpful. If you are not receiving my updates via email and would like to be included on our distribution list, please send an email to one of my staff members or contact my office at (904) 573-4994.

Meeting with numerous groups and individuals helps me to stay in touch and informed with issues that are of great concern to my constituents. Please continue to provide me with your input on state issues that impact you and your family. If I can be of assistance, please do not hesitate to contact me.

Sincerely,

District Office:

8970 103rd St., Suite 10
Jacksonville, FL 32210
Phone: (904) 573-4994
Fax: (904) 573-4996

Capitol Office:

203 House Office Building
402 South Monroe Street
Tallahassee, FL 32399-1300
Phone: (850) 488-5102

Staff:

Legislative Assistant: Michelle Fowler
michelle.fowler@myfloridahouse.gov
Executive Secretary: Tracy Dillinger
tracy.dillinger@myfloridahouse.gov

Councils & Committees:

Economic Development Policy Committee, Chair; Economic Development & Community Affairs Policy Council;
Transportation & Economic Development Appropriations Committee; Energy & Utilities Policy Committee

Reforming Zero-Tolerance Policies

This Session Representative Carroll sponsored a bill that provides school districts more flexibility in administering the state's zero-tolerance policies. The policy was intended to promote safety in our schools instead it has been harmful with a disproportionate impact on students. For thousands of youth in our state, the Zero Tolerance policy has placed criminal records for many good kids and unnecessarily scared them for life. This criminal record may prevent many students from receiving scholarships, quality employment, or security clearances. This bill will require district school boards to define petty acts of misconduct, define criteria for reporting acts to law enforcement, define acts that pose a serious threat to school safety, minimize the victimization of students, staff, or volunteers, and establish a procedure that ensures each student has the opportunity to appeal disciplinary action.

For any disciplinary action, school district zero-tolerance policies must consider the individual student and the particular circumstances surrounding his or her misbehavior. The bill provides that school districts are encouraged to use alternatives to expulsion or referral to law enforcement agencies unless the use of such alternatives will pose a threat to school safety.

Current law requires district school boards to enter into agreements with local law enforcement for reporting felonies and violent misdemeanors, whether committed by a student or an adult, and delinquent acts that would be felonies or violent misdemeanors if committed by an adult. The bill revises this provision by requiring school districts to enter into agreements with local law enforcement for reporting acts that pose a serious threat to school safety whether committed by an adult or a student.

The bill provides that zero-tolerance policies do not require reports to law enforcement of petty misconduct and misdemeanors, including, but not limited to, disorderly conduct, disrupting a school function, simple assault or battery, affray, theft of less than \$300, trespassing, and vandalism of less than \$1,000.

The bill requires a district school board that has a policy of allowing the use of corporal punishment as a form of discipline to review its policy on corporal punishment once every three years during a district school board meeting. Public testimony must occur at the board meeting, and if the board meeting is not held, then the portion of the district school board's policy which allows corporal punishment will expire.

SB 1540 was signed into law on May 28, 2009; the effective date of this bill is July 1, 2009.



Rep. Carroll meets with Foster Parents & Children from Clay County.



Rep. Carroll meets with students from Jacksonville University



Rep. Carroll meets with parents from Clay & Duval Counties PTA.

School Improvement and Accountability

The State Board of Education (SBE) is responsible for holding all public schools accountable for student performance. The system of school improvement and accountability must provide for uniform accountability standards, assistance of escalating intensity to low-performing schools, support to schools in order to improve and sustain performance, a focus on student subgroup performance, and enhancement of student performance.

The bill requires the Department of Education (DOE) to annually categorize public schools into one of six categories based on the school's grade and the level and rate of change in student performance in the areas of reading and mathematics, disaggregated into student subgroups. Intervention and support must be applied to schools that need improvement. In addition, the SBE may prescribe reporting requirements to review and monitor the progress of the schools.

The DOE is required to create a matrix that reflects intervention and support strategies necessary to address the particular needs of schools in each category. The most intense intervention strategies must be applied to the lowest performing schools. For all but the lowest category and "F" schools in the second lowest category, the intervention and support strategies must be administered solely by the districts and schools.

For a school identified in the low performing category, the school district must submit a plan, which is subject to approval by the SBE, for implementing the school's improvement plan. The bill provides that a school must make significant progress by improving its school grade and by increasing student performance in mathematics and reading in order to advance to a higher category. Finally, the bill requires district school boards to annually approve and require implementation of new, amended, or continuation school improvement plans for each school in the district.

HB 991 is awaiting the Governor's approval; the effective date of this bill is July 1, 2009.



Rep. Carroll meets with the First Coast Manufacturers Association of Jacksonville



Rep. Carroll meets with members of the American Institute of Architects (AIA)



Rep. Carroll meets with the Realtors Association from Clay & Duval Counties.

Modifications for Economic Development

As Chair of the Economic Development Policy Committee, Representative Carroll sponsored much needed changes to amend several sections of Florida Statutes to replace an outdated coding system with the Federally recognized standard coding system used to classify businesses, provides a requirement for Enterprise Florida, Inc, and amends several state economic development programs.

SIC and NAICS Codes

Removes outdated Standard Industrial Classification (SIC) codes from Florida Statute and replaces them with the North American Industry Classification System (NAICS) codes, the federal approved standard since 1997. This change will allow Florida businesses to have a better classification code to compete and do business with international companies. The bill will also allow local governments to determine the financial impact of the exemptions.

Enterprise Florida, Inc.

When a business seeks an incentive award, it must submit an application to Enterprise Florida, Inc. (EFI). This bill requires EFI to respond to all inquiries in 45 days verse 100 days, relating to Florida's business requirements, economic incentives, and business development opportunities.

This revamped process will enable businesses to open their doors sooner, affording Floridian's to get to work.

Economic Development Incentive Programs

The Legislature has established timelines for some of the incentive programs to receive an approval or denial of a project. The bill will help develop jobs and business growth by: expanding the definition of "rural" in several sections of the statute to provide greater economic development incentive opportunities for areas in rural economic need. The bill will help attract and grow capital-intensive industries in Florida. Florida's contractors specializing in national defense and homeland security will have an advantage in acquiring new contracts and converting contracts to commercial production. Additionally, the bill will help increase and encourage business development in previously environmentally contaminated Brownfield's and attract "high impact" sectors of the economy to Florida such as life sciences, financial services, manufacturing industries such as transportation equipment, aviation and aerospace, automotive, and semiconductors.

HB 7031 was signed into law on May 21, 2009; the effective date of this bill is July 1, 2009.



Rep. Carroll presents a bill to the Finance and Tax Council

Jacksonville Transportation Authority (JTA)

Representative Carroll co-sponsored HB 1213, which provides for numerous changes to the Jacksonville Transportation Authority's (JTA) powers, duties and responsibilities to make its enabling language consistent with its current activities and mission. The Jacksonville Transportation Authority is an independent special district serving Duval County that designs and constructs bridges and highways, and provides mass transit services.

- Clarifies that the authority is an agency of the state
- Updates language specifying the authority's jurisdiction to include all of Duval County
- Includes language that clarifies the authority's intent to plan and develop multimodal transportation projects
- Reinforces the authority's intent to establish and maintain operating fund reserves
- Authorizes the JTA to construct and operate transportation facilities outside of Duval County, with the consent of the impacted county
- Clarifies that the authority may not exercise its powers of condemnation with respect to the property of any municipality or county
- Provides that the authority is not subject to liability related to preexisting contamination of property it acquires
- Allows the authority to enter into public-private partnerships to construct, operate, own or finance transportation facilities
- Provides for monitoring and review of the JTA by the Florida Transportation Commission.

The bill also provides that when a private entity enters into a public-private partnership agreement with the Department of Transportation (DOT) to design, build, operate, own or finance a transportation facility, such facility will be exempt from intangible taxes and special assessments, and ad valorem taxes to the extent that the property is owned by the state or another governmental entity. Finally, the bill requires the DOT to direct a study to be conducted and funded by the JTA for recommending a framework for a regional transportation authority for the northeast region of Florida. *HB 1213 was signed into law on June 2, 2009; the effective date of this bill is July 1, 2009.*

Veteran Improvements

Current law exempts honorably discharged 100-percent totally and permanently disabled veterans from certain license or permit fees of counties and municipalities. This fee waiver allows the veteran to make improvements such as ramps and widening of doors, necessary to make the dwelling habitable for veterans confined to wheelchairs. The bill authorizes a fee waiver for improvements that would make the residence safe for the veteran. It also removes the cap on revenues that are deposited into the State Homes for Veterans Trust Fund. Additionally, the bill expands the list of veterans eligible for deferments for college tuition and fees to include any veteran or other eligible student who receives Post 9/11 Veterans Educational Assistance benefits under Ch. 33 of Title 38, U.S.C. *HB 509 was signed into law on June 2, 2009; the effective date of this bill is July 1, 2009.*

Public Records Exemption for Children

The public's right of access to government records is established by the Constitution of the State of Florida. The Legislature, however, is authorized to create exemptions to preclude the disclosure of specified records when the exemption is found to be a public necessity and is not broader than necessary to meet that public necessity.

This bill creates a public record exemption for personal identifying information of dependent children of agency officers and employees when such dependent children (children under the age of 21 and still in school, and certain incapacitated children 18 years of age and older) are insured under an agency group insurance plan. The bill specifies that personal identifying information of agency employees remains subject to public disclosure. This bill provides for future review and repeal of the exemption and a statement of public necessity.

HB 135 was signed into law on June 2, 2009. The exemption is effective July 1, 2009 and applies retroactively to such personal identifying information held by an agency before this date.

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State Representative
Jennifer Carroll
8970 103rd Street, Suite 10
Jacksonville, Florida 32210-8689